



US Army Corps
of Engineers®

Public Notice

Public Notice No. 07-23

Date: March 12, 2007

Nashville District

Application No. 2007-00436 Expires: March 27, 2007

Please address all comments to:
Nashville District Corps of Engineers,
Regulatory Branch (Attn: David Baldridge)
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
COMMONWEALTH OF KENTUCKY

SUBJECT: Proposed Concrete Parking Area and Marina Access on
Lake Cumberland at Cumberland River Mile 499.5 Left Bank,
Wayne County, Kentucky

TO ALL CONCERNED: The application described below has been
submitted for a Department of the Army Permit pursuant to
Section 404 of the Clean Water Act (CWA). Before a permit
can be issued, certification must be provided by the
Kentucky Division of Water (KDOW), pursuant to Section
401(a)(1) of the CWA, that applicable water quality
standards will not be violated. By copy of this notice, the
applicant hereby applies for the required certification.

APPLICANT: Conley Bottom Resort Marina
Charles Denney
R-5 Box 5360
Monticello, KY 42633

LOCATION: Lake Cumberland, Cumberland River Mile 499.5 Left
Bank, Wayne County, Kentucky. Mill Springs KY USGS Quad
Map. Latitude N36°57'19.71", Longitude W84°49'28.08".

DESCRIPTION: The proposed work consists of extending the
existing parking area by the addition of a 155' x 140' x 6"
concrete slab. The proposed work would make access to the
main dock structure more accessible during the current and
future low water levels on Lake Cumberland. The proposed
work would be within Conley Bottom Resort and Marina's
existing lease area and would occur in the dry.

The decision whether to issue a permit will be based on an
evaluation of the probable impacts including cumulative im-
pacts of the activity on the public interest. That decision
will reflect the national concern for both protection and

utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

No properties listed in or eligible for listing in the National Register of Historic Places are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. A copy of this notice is being furnished to the U.S. Fish and Wildlife Service (USFWS). We are requesting that the USFWS review the project as proposed and comment concerning any likely effect to any threatened or endangered species or their critical habitat. Initiation of formal consultation procedures with the USFWS is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Water quality certification from KDOW in accordance with Section 401(a)(1) of the CWA.

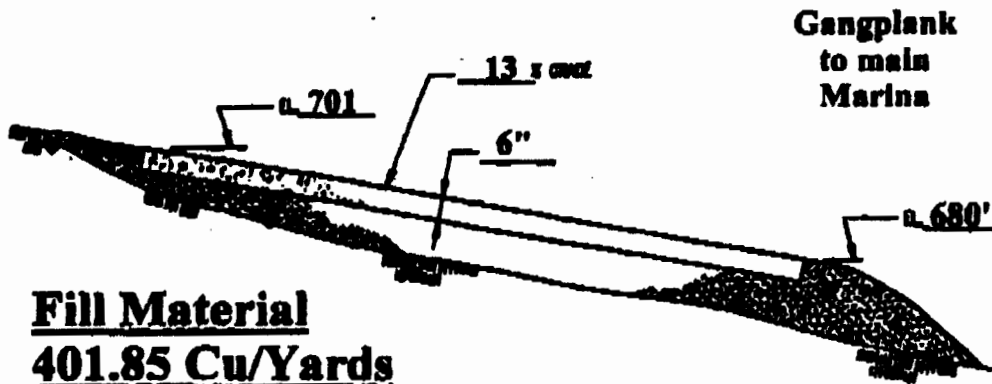
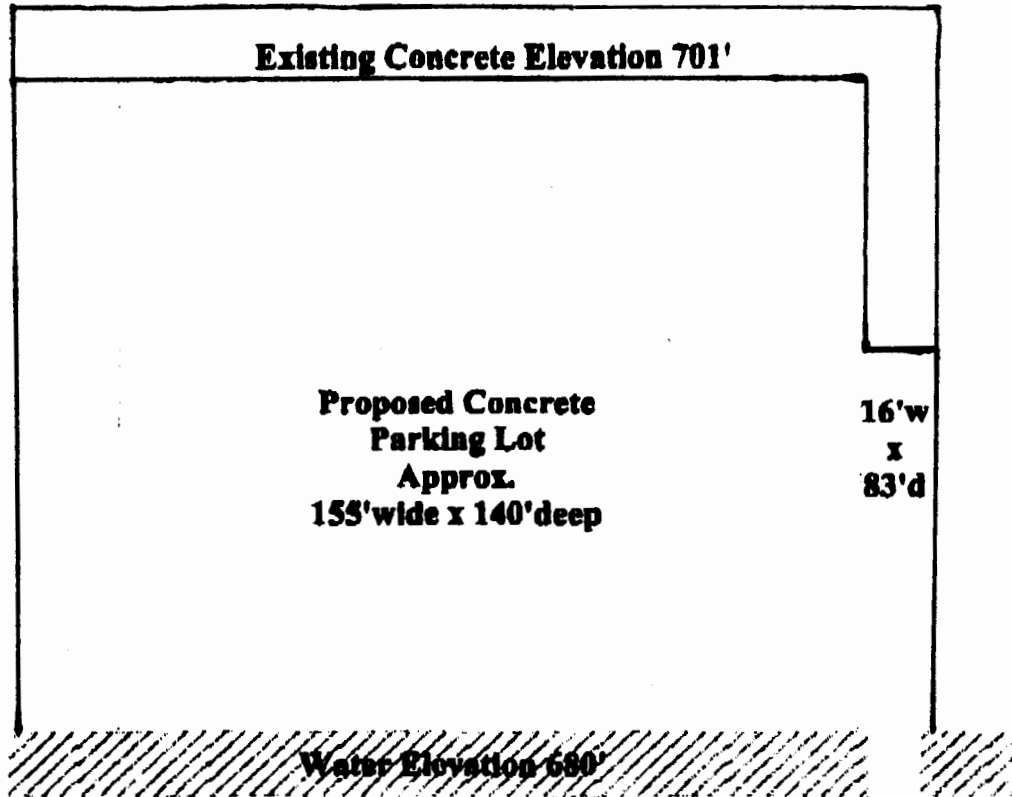
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **March 27, 2007**, will become a part of the record and will be considered in the determination.

Any response to this notice should be directed to the Regulatory Branch, Attention: David Baldrige, at the above address, telephone (615) 369-7521.

If you received this notice by mail and wish to view all of the diagrams, visit our web site at: <http://www.lrn.usace.army.mil/cof/notices.htm>, or contact David Baldrige at the above address or phone number.





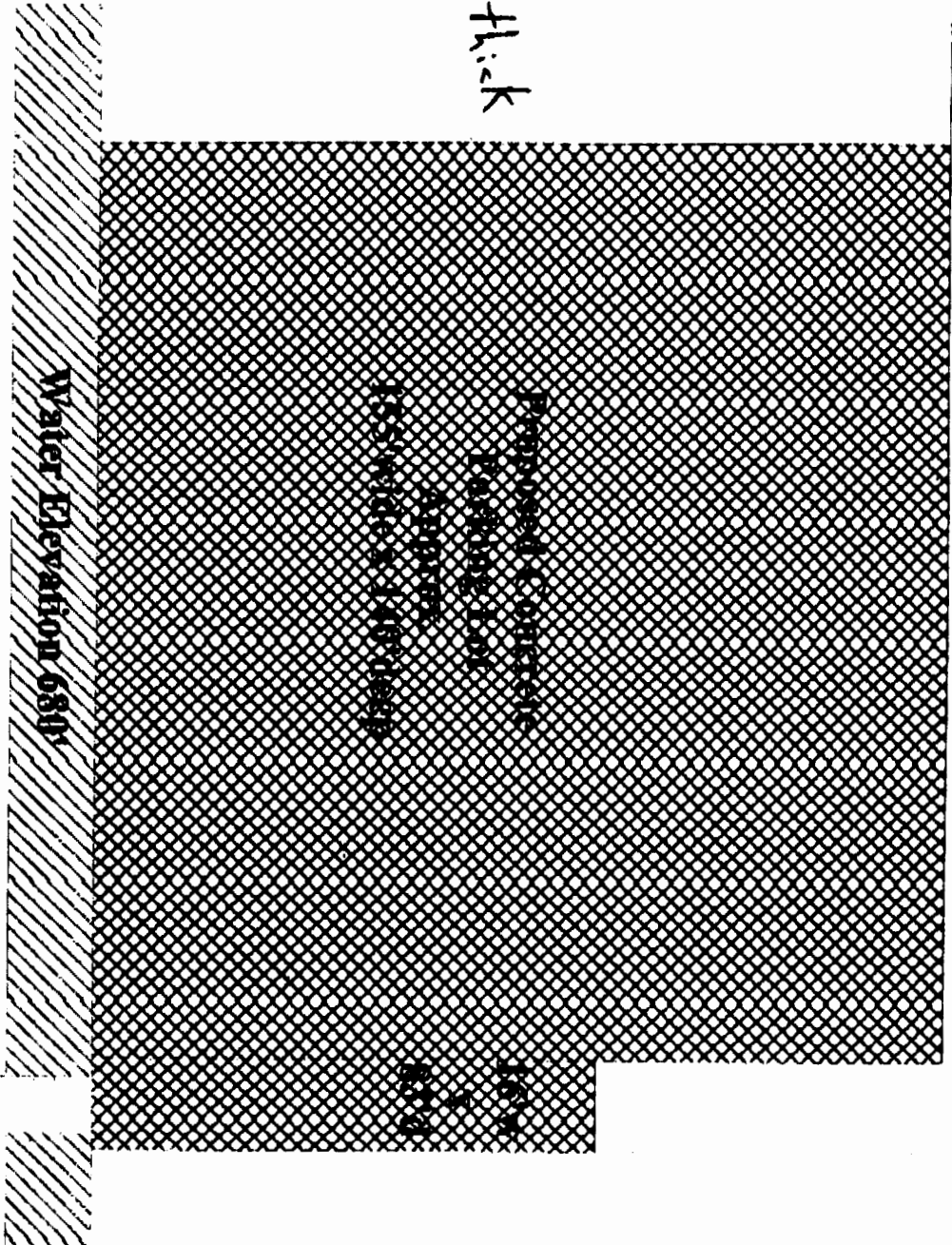
Fill Material
401.85 Cu/Yards
Concrete

Section Thru
Concrete Parking Lot

NOTE:
INCLUDE ALL DIMENSIONS AND ELEVATIONS
WHERE INDICATED.

6" thick

Existing Concrete Elevation 701'



Addition to Existing
Parking Lot
Conley Bottom Resort 2007

Gangplank
to main
Marina